

REMARKS

The Office Action dated August 21, 2007, has been received and carefully noted. The following remarks are being submitted as a full and complete response thereto.

Claims 1, 2, 5 – 7, 9, 10, and 12 – 20 are submitted for reconsideration in light of the following.

Claims 1, 2, 5 – 7, 9, 10, and 12 – 20 were rejected under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement. The Office Action alleged that the specification failed to show or teach with respect to claims 1 and 12, the plurality of adders for adding each side of the first photo detection elements, the first and second difference signal producing means and the level adjusting means for adjusting the level of the second difference signal. Further, with respect to claims 6, 9, 17, and 18, the Office Action alleged that the specification failed to show or teach a subtracting step for subtracting a pre-pit signal component from the tracking error signal.

Further the drawings were objected to as not showing these limitations.

A review of the Specification and drawings show that at least the material from line 19 on page 13 to line 15 on page 15 together with Figure 8b provide written support the plurality of adders for adding each side of the first photo detection elements, the first and second difference signal producing means and the level adjusting means for adjusting the level of the second difference signal. That is, the plurality of adders (61,62) are provided for adding each side ($F = G, E + H$) of the first photo detection elements (55). The first and second difference signal producing means (66, 65) and the level adjusting

means (77) for adjusting the level of the second difference signal are shown and described there as well.

With respect to claims 6, 9, 10, 17, and 18, it should be noted that these claims are all system claims. There are no method claims in this application. Consequently, there are no claimed "steps". If the Office Action intended to refer to the function being claimed in the specific means plus function limitations of the subtracting means of claim 6, the specifically claimed subtracting circuit of claim 9, the removing means of claim 17, or the removing circuit of claim 18, clear support can be found in the Specification in at least the material from line 18 on page 14 to line 11 on page 15 and in the structure of Figure 8b. That is, the Specification discloses that the tracking error signal is produced from the terminal 74 as the following formula:

$$((F + G) - (E + H)) - K(((B + C) - (A + D)) + (I + J)).$$

When this formula is expanded, the following is obtained:

$$((F + G) - (E + H)) - K((B + C) - (A + D)) + K(I + J)$$

Thus, the subtractor 70 subtracts $K((B + C) - (A + D))$ as the pre-pit signal component, i.e., output of the level adjusting means 77, from $((F + G) - (E + H))$ as the original tracking error signal. Moreover, it is readily apparent from Figure 8a that $K(I + J)$ as an output of the adder 63 is not concerned with the pre-pit 4 at all. Consequently, clear support is given in the Specification and the drawings for all of the limitations as claimed. The claimed subject matter is described in the Specification in such a way as to reasonably convey to one skilled in the art that the inventors at the time the application

was filed had possession of the claimed invention. Withdrawal of the rejection is requested.

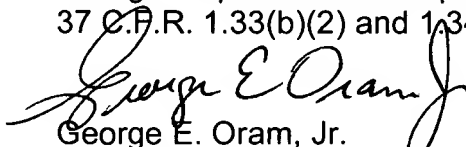
No correction of the drawings is considered necessary since, as set forth above, all of the structure being claimed is clearly shown.

In the above, the Applicants have identified the drawing that the claims read on and the corresponding elements in the Specification relied upon for support. If the Examiner has further objections, it is requested that the specific difficulties be pointed out with particularity.

Applicants respectfully submit that this application is in condition for allowance and such action is earnestly solicited.

In the event that this paper is not being timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account Number 01-2300, referencing Docket Number 107156-00033.

Respectfully submitted,
Acting in representative capacity under
37 C.F.R. 1.33(b)(2) and 1.34


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